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Planning Commission Staff Report **ADDENDUM**

TO: PLANNING COMMISSION

FROM: KEITH NEWMAN, PLANNER II *KN*
(480) 503-6812, KEITH.NEWMAN@GILBERTAZ.GOV

THROUGH: CATHERINE LORBEER, AICP, PRINCIPAL PLANNER *chl*
(480) 503-6016, CATHERINE.LORBEER@GILBERTAZ.GOV

MEETING DATE: AUGUST 7, 2019

SUBJECT:

- A. GP19-01: WATERMARK AT GILBERT TOWN SQUARE - REQUEST FOR MINOR GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE CLASSIFICATION OF APPROX. 10.32 ACRES GENERALLY LOCATED SOUTH OF THE SOUTHEAST CORNER OF GILBERT RD. AND CIVIC CENTER DR. FROM GENERAL OFFICE (GO) AND NEIGHBORHOOD OFFICE (NO) TO RESIDENTIAL > 14 - 25 DU/ACRE LAND USE CLASSIFICATION.
- B. Z19-05: WATERMARK AT GILBERT TOWN SQUARE REQUEST TO REZONE APPROXIMATELY 10.32 ACRES OF REAL PROPERTY GENERALLY LOCATED SOUTH OF THE SOUTHEAST CORNER OF GILBERT RD. AND CIVIC CENTER DR. FROM GENERAL OFFICE (GO) AND NEIGHBORHOOD OFFICE ZONING DISTRICTS TO MULTI-FAMILY/MEDIUM (MF/M) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.

STRATEGIC INITIATIVE: Exceptional Built Environment

To allow a multi-family development near the Town of Gilbert Municipal Complex and the Gilbert Town Square commercial development.

RECOMMENDED MOTION

- A. Move to recommend to Town Council approval of GP19-01, a Minor General Plan Amendment; and
- B. For the reasons set forth in the staff report, move to recommend approval to the Town Council for Z19-05, as requested, subject to the conditions listed in the staff report.

APPLICANT/OWNER

Company: Iplan Consulting
Name: Greg Davis
Address: 3317 S. Gilbert Rd. #114-622
Gilbert, AZ 85297
Phone: 480-227-9850
Email: greg@iplanconsulting.com

Company: Chrome Inc.
Name: N/A
Address: 1119 E. University Dr.
Mesa, AZ 85203
Phone: N/A
Email: N/A

BACKGROUND/DISCUSSION

History

Date	Description
<i>September 18, 1984</i>	Town Council approved case A83-04 adopting Ordinance No. 395 annexing the subject site.
<i>April 26, 2005</i>	Resolution No. 2588 approved General Plan Amendment Case GP04-21 changing the land use designation on 9.8 acres from Residential > 3.5-5 DU/Acre to General Office (GO) and Neighborhood Office (NO).
<i>April 26, 2005</i>	Ordinance No. 1645 approved Zoning Case Z04-38 changing the zoning district from Single Family-35 (SF-35) to General Office (GO) and Neighborhood Office (NO) for 9.8 acres located at the southeast corner of Gilbert Road and the Knox Road Extension.
<i>December 14, 2006</i>	The Design Review Board approved DR05-132, Delta/Gilbert Office Complex on 9.8 acres located at the southeast corner of Gilbert Road and the Knox Road Extension.
<i>June 5, 2019</i>	Planning Commission reviewed GP19-01 and Z19-05 as a study session item.

Overview

The applicant is requesting to change the land use classification and zoning on 10.32 acres consisting of 5 existing parcels, which will be combined to accommodate the proposed development. The site is located at the southeast corner of Gilbert Road and the Knox Road Extension, just south of the Town of Gilbert Public Safety Complex. The land use classification is proposed to change from General Office (GO) and Neighborhood Office (NO) to Residential > 14-25 DU/Acre, along with a rezoning request from General Office (GO) and Neighborhood Office (NO) to Multi-Family /Medium (MF/M PAD) for the 10.32-acre site. Watermark Residential

proposes to develop the site with a multi-family, 3 story, 216-unit community with a density of 20.93 DU/Acre.

Surrounding Land Use & Zoning Designations:

	Existing Land Use Classification	Existing Zoning	Existing Use
North	Public Facility/Institutional (PF/I)	Public Facility/Institutional (PF/I)	Town of Public Safety Complex
South	Residential>3.5-5 DU/Acre	Single Family Residential (SF-35)	Single Family Residential
East	Residential>3.5-5 DU/Acre	Single Family Residential (SF-7)	Settler's Point South Subdivision
West	Residential>3.5-5 DU/Acre	Single Family Residential (SF-6 and SF-8)	Dave Brown Millett Ranch Subdivision
Site	General Office (GO) and Neighborhood Office (NO)	General Office (GO) and Neighborhood Office (NO)	Vacant Land

General Plan Amendment

The existing land use classification is General Office (GO) and Neighborhood Office (NO). To develop the property as proposed, the applicant is requesting a minor General Plan amendment to Residential > 14-25 DU/Acre, which is consistent with their request for a density of 20.93 DU/Acre. The site is near a mixed-use environment consisting of the Town of Gilbert Civic Center, Cadia Crossing Apartments, Towne Center Shops and the Gilbert Town Square commercial/residential development to the north and northwest.

The applicant has stated that they believe they conform to the General Plan for the following reasons:

2.4 Land Use and Growth Areas

- **Policy 1.1:** Maintain a balance of housing types and provide a variety of employment opportunities with easily accessible retail and service uses.
- **Policy 1.3:** Encourage residential development that allows for a diversity of housing types for all age groups and is accessible to a range of income levels.
- **Goal 4.0:** Provide a diversity of quality housing types for a variety of lifestyles.
- **Policy 4.1:** Provide an adequate supply of appropriately zoned land to accommodate a variety of future housing needs.
 - *Applicant Notes - Watermark at Gilbert Town Square promotes an appropriate mix of housing and employment opportunities in the immediate area. Additional housing options will provide alternatives for people seeking to live and work in the area between Loop 202 and the Heritage*

District. Additional housing will support the needs of employers and retailers who wish to be near their employees and customers.

In addition, Watermark at Gilbert Town Square adds a housing option that is in high demand in the area. Informal surveys show that nearby existing multifamily communities are over 90% occupied and market reports indicate that the trend will continue for many years as individuals and families from all walks of life seek the convenience of the luxury rental lifestyle.

- **Policy 4.4:** High density housing is encouraged near large employment centers and/or transportation corridors.
- **Policy 7.1:** Balance traffic circulation needs with the goal of creating pedestrian-oriented neighborhoods and convenient employment/retail centers.
 - *Applicant Notes - The addition of multi-family uses in the area south of Gilbert Road and Warner is complementary to nearby existing/planned employment centers (Gilbert Civic Center, Gilbert Public Schools Complex, etc.) and commercial centers (Gilbert Town Square, Gilbert Heritage District, etc.). As such, the immediately surrounding area has begun to take on the characteristics of a master planned community with multiple uses. This reduces automobile trips, vehicle trip lengths, and the number of cars travelling on the arterial street system—and encourages walking, biking, and other means of transportation—for those living, working, and shopping in the same area.*
- **Policy 4.2:** Encourage appropriate locations for multifamily residential uses that do not adversely impact lower density residential neighborhoods.
 - *Applicant Notes - Consistent with good planning principles, higher density housing is an appropriate use on the site as a transition between the less intense single-family residential developments on the east and the more intense government/employment uses north of the Site. Watermark at Gilbert Town Square will provide adequate distance and landscaping buffers to the existing residential neighbors and will not provide any direct access to any of the neighbors.*

Rezoning

Watermark is requesting a rezoning for the subject site from General Office (GO) and Neighborhood Office (NO) to Multi Family/Medium (MF/M) with a PAD overlay to accommodate the development of a multi-family, 3 story, 216-unit community with a proposed gross density of 20.93 DU/Acre. The intent is to provide a contemporary multi-family environment that will complement and support nearby businesses and provide a land-use transition between the intense uses found at the Gilbert Civic Center and the existing single-family homes located to the south and east. The applicant states they intend to provide a “renters by choice” or “life-style renters,” a location to live near employment, shopping, and freeways to enjoy a convenient and high quality of life. According to the applicant the proposed rezoning is being requested because the property is not expected to attract other office users due to the prevalence of higher quality

sites at employment centers near Gilbert Road and the 202 (Rivulon) and new opportunities in the Heritage District. In addition, the parcel's long, narrow shape (approximately 1,130' deep by 375' wide) makes it a challenge for employment users due to its very narrow Gilbert Road frontage and a lack of visibility for any tenants who may locate deep in the rear of the project.

The conceptual design shown on the Development Plan consists of approximately 14 total residential buildings ranging from one-story garage structures to three-story multi-family buildings. A clubhouse/office building with one large amenity area and associated pedestrian walkways will provide connections to Gilbert Road to the west. A separate Design Review approval will be required, consistent with any approved Development Plan.

Access to the development will be taken from Gilbert Road with primary full motion access at the south end of the property and a secondary access at the north end. The overall open space percentage for the development is approximately 42.90% with open space around the site, between the buildings and within the amenity area along Gilbert Road.

PAD Request

The applicant is requesting a set of modified development standards as part of the Planned Area Development (PAD) overlay zoning for the proposed development.

As listed in the table below in bold the applicant is requesting deviations to modify building and landscape setbacks along the north property boundary, perimeter separation and screen wall requirements and 3rd story building step back requirements.

Project Data Table (requested modifications are shown in bold)

Site Development Regulations	Required per LDC	Proposed MF/M PAD
Maximum Height (ft.)/Stories	40'	40'
Minimum Building Setbacks (ft.)		
Front	30'	30'
Side (Non-residential)	20'	North Property Line: 10'
Side (Residential)	30'	30'
Rear (Residential)	30'	30'
Minimum Perimeter Landscape Area (ft.)		
Front	20'	20'
Side (Non-residential)	20'	North Property Line: 10'
Side (Single Family Residential)	20'	20'
Rear (Residential)	20'	20'
Private Open Space (sq.ft./unit)	60	60
Common Open Space (Min.)	40% of net site	42.90% of net site
Minimum Height of Solid Separation Fence (LDC – 4.109.A.2 (a)(b))	8' high	1) North Property Line: 6' high solid

		masonry wall 2) East Property Line: 8' high view fence 3) South Property Line: 6' high solid masonry wall to remain
Building Step-Back (2.204.A.2)	10' at 3rd floor for habitable space within 100 feet of property zoned Single Family Residential	South Property Line: No Step-back at 3rd story only if the habitable space encroaches into the 100 ft. setback by 8.5 ft or less.

Minimum Perimeter Building Setback (Table 2.204)

According to the applicant, the minimum setback is proposed to be reduced to 10' along the north property line to accommodate three single-story detached garage buildings that are needed to serve nearby multi-family buildings. The tight nature of this narrow site requires that the setbacks on the north, next to non-residential uses, be reduced by 10' to allow for required setbacks on the south to be met next to an existing single-family residential use. Again, these building setbacks are to accommodate detached garages only. The closest residential units will still be approximately 60' from the north property line. This 10' distance, along with the existing 75' buffer on the Town of Gilbert property due to an SRP easement, means that the minimum distance between the nearest multi-family unit and the Town of Gilbert Public Safety property will be 135'.

Minimum Perimeter Landscape Setback (Table 2.204)

According to the applicant, a landscape setback deviation along the north property line is needed for the same reasons as the building setback. Again, it is noted that the Town of Gilbert parcel is subject to an SRP easement, which has resulted in a 75' wide buffer between the property line and the nearest building so there is adequate buffering between the two uses.

Perimeter Separation Wall (4.109.A.2(a)(b))

According to the applicant, this deviation is principally due to the nature of adjacent uses. Requested modifications include:

Rear – East Side of Project

This modification of the standard reflects the unique characteristics of this property. There is a 10' HOA tract between the property line of the subject parcel and the +/- 6' exterior wall of the Settler's Point South Homeowners Association. The LDC requires an 8' solid wall to be placed on the property line of the subject parcel. However, in this case, doing so would create a "double wall" situation, with an undesirable 10' gap between the walls. The preferred solution would be for the HOA to move its wall to the shared property line of the subject site and for the height to be

increased to 8'. Barring such a resolution to the issue, the applicant is proposing to install an 8' wrought iron view fence to provide security for residents and guests of Watermark at Gilbert Town Square and allow for visibility into the Tract so that nuisance activities are minimized and easily seen and reported.

Side - South Side of Project

The project's southern border consists of an existing block wall that is approximately 6' in height, which will continue to provide separation for the neighbors to the south. The LDC requires an 8' solid wall between multi-family and single family uses. As stated above, a landscape buffer of approximately 20' will be placed between this block wall and the nearest buildings (which will be single-story detached garages).

Town Staff and the Planning Commission have expressed concerns regarding the safety and structural integrity of the existing 6' high block wall and recommend that it be replaced with the code required 8' high block wall to increase security for the site and reduce visual impacts on the existing single-family residential zoning to the south. Please note that the existing 6' high solid wall is only provided about $\frac{3}{4}$ of the way down the southern property line. Staff recommends that the required 8' high solid wall be placed the entire distance, which will also replace the existing pipe rail fencing.

Side – North Side of Project

A 6' masonry wall is desirable along this property line to avoid a canyon-like feel on the north side of the project. As it stands, there is approximately 75' between the north property line of the subject site and the parking structure on the Gilbert Public Safety Complex parcel so the applicant believes a 6' fence should suffice.

Building Step-Back (2.204.A.2)

According to the applicant, this deviation is included to clarify the Land Development Code as it relates to this project. The building step-back portion of the code is intended to prevent non-buffered three-story elements of a building from being too close to adjacent single-family homes and to provide privacy between uses. For example, if a three-story building were located 30' from a single-family residential district as is allowed in the code, the third story element of that building would need to be "stepped back" by 10' so that it was at least 40' away from the residential boundary.

At Watermark at Gilbert Town Square, the applicant suggests that the spirit of the code is exceeded as all three-story buildings are much farther than 40' away from neighboring single-family residential districts. As such, the applicant believes a 3rd-story step-back should not be required to buffer those adjacent districts. See below for further setback information to provide additional context and justification for this clarifying deviation.

Town Staff would like to note that a recent LDC Text Amendment was approved by Town Council on June 20, 2019, which now only requires the 10' step back at the third floor for habitable space that is within 100' of property zoned single family residential. As a result, the applicant only needs a deviation along the south property line of the development. Per the Development Plan, the proposed buildings are shown at a setback of 88' from the property line, which would be a

deviation of 12' based on the revised code. However, this building will contain balconies with covered patios pushing the habitable space further back to approx. 91.5'. Town Staff is supportive of this deviation as the closest buildings located at 88' away will side onto the property line and have less visual impact. There is, however, one building where the longest portion faces the southern property line and is setback 94' to the habitable space.

Planning Commission Study Session, June 5, 2019:

At the June 5th Planning Commission Study Session, input was requested and provided concerning the proposed General Plan Amendment and rezoning requests for the Watermark at Gilbert Town Square project, including the proposed deviations from the conventional MF/M zoning district development standards as well as the overall project design.

The Planning Commission was generally supportive of changing the use of the property from office to multi-family residential, however, was not supportive of the proposed deviations to decrease the height of the required separation walls along all property lines from 8' to 6' in order to reduce the impacts to the public safety facility and the adjacent homes to the east and south of the project site. The Commissioners also expressed that if development to the south remains as is with one single family home that they would be supportive of the proposed elimination of the 10' building step back at the 3rd story, however, if it were to change to more single-family residences than they would want the step back. Lastly, the Commissioners were supportive of the landscape and building setback deviations along the northern property line.

Since the Study Session, Staff has met with the applicant to discuss the proposed deviations to address Staff and Planning Commission concerns. The applicant has decided to move forward with the original deviations, however, since discussing them we are now supportive of the proposed deviation to decrease the height of the separation wall along the north property line from 8' to 6'. Along the north property line the existing 75' SRP easement combined with the 60' setback of the closest apartment building will provide a total of 135' separation distance from the Public Safety Facility Property line which Staff feels is more than adequate. The applicant has discussed this deviation with the Town Police Department and they are in support of the 6' wall. Along the eastern property line the applicant is proposing an 8' tall wrought iron view fence for security purposes that will be setback 10' from the existing 6' HOA block wall which they will not be removing. Allowing the view fence will eliminate an unsafe double wall situation.

Along the southern property line, Staff recommends that the required 8' high solid wall be placed the entire distance, which will replace the existing 6' high solid wall and pipe rail fencing.

Staff is now in support of the proposed deviation to eliminate the building step back along the south property line as the applicant is proposing to place the habitable space of the closest building 91.5' away from the property line, based on conceptual renderings presented by the applicant. This building will contain balconies with covered patios pushing the habitable space further back.

Staff is also in support of the deviation to reduce the landscape and building setbacks along the north property line by 10' which will allow the applicant to meet the required setback distance along the southern property line.

PUBLIC NOTIFICATION AND INPUT

A notice of public hearing was published in a newspaper of general circulation in the Town, an official notice was posted in all the required public places within the Town and neighborhood notice was provided per the requirements of the Land Development Code Article 5.205.

A neighborhood meeting was held on February 19, 2019 at Settlers Point Elementary School in Gilbert. Approximately 5 residents attended the meeting. Below is a summary of all concerns and questions brought up at the meeting:

- Concerns regarding the use of the HOA landscape tract along the east property boundary;
- Concerned whether the wall between Settlers Point and the new development will remain and if any type of access from the apartment complex will be provided;
- Concerns over the location of the buildings and whether they can be moved further west to decrease visual impacts;
- Height of the existing wall block walls along the east and south property lines;
- Type and size of trees that will be planted along the eastern boundary;
- Will section 8 housing, mental health or other types of facilities be proposed if this project is not successful;
- Application process and timing; and
- How multi-family medium is defined in the Town Land Development Code;

Staff also received a letter from the Chamber of Commerce in support of the proposed rezoning and minor GP amendment (See Attachment No. 6).

PROPOSITION 207

An agreement to “Waive Claims for Diminution in Value” pursuant to A.R.S. § 12-1134 was signed by the landowners of the subject site, in conformance with Section 5.201 of the Town of Gilbert Land Development Code. This waiver is located in the case file.

STAFF RECOMMENDATION

- A. Move to adopt the attached resolution approving GP19-01; and
- B. Move to make the Findings of Fact and adopt the attached ordinance approving Z19-05, subject to the following conditions:
 1. Dedication to Gilbert for Gilbert Road rights-of-way that are adjacent to the Property shall be completed prior to or at the time of recordation of the final plat or sooner as required by the Town Engineer. Failure to complete dedication prior to the effective date of this ordinance may result in reversion of the zoning to the prior zoning classification.
 2. Dedication of Gilbert Road shall extend 70 feet from the monument line. The eastern five (5) feet of the 70-foot dedication shall be roadway easement.

3. Construction of off-site improvements to Gilbert Road adjacent to the Property shall be completed prior to issuance of a certificate of occupancy or final approval of any building constructed on the Property or at the time requested by Gilbert, whichever is earliest.
4. Should the Property include any landscaping, open space, private street, utilities or other facilities held in common ownership (collectively “common areas”) as described in Article 4.9 of the Land Development Code, Developer shall create a Homeowner’s Association (HOA) or Property Owners’ Association (POA) at the time of final plat recordation or earlier if required by the Town Engineer. Maintenance responsibilities for common areas and open space areas shall be as required under the Land Development Code and in accordance with the Gilbert Town Code. Any modification to the maintenance obligations shall be approved by Gilbert and specified on the approved site plan or final plat.
5. The Project shall be developed in conformance with Gilbert’s zoning requirements for the zoning districts and all development shall comply with the Town of Gilbert Land Development Code, except as modified by the following:

Site Development Regulations	MF/M PAD
Minimum Building Setbacks (ft.)	
Side (Non-residential)	North Property Line: 10’
Minimum Perimeter Landscape Area (ft.)	
Side (Non-residential)	North Property Line: 10’
Common Open Space (Min.)	42.90% of net site
Minimum Height of Solid Separation Fence (LDC – 4.109.A.2 (a)(b))	1) North Property Line: 6’ high solid wall 2) East Property Line: 8’ high view fence 3) South Property Line: 8’ high solid wall
Building Step-Back (2.204.A.2)	South Property Line: No Step-back at 3 rd story only if the habitable space encroaches into the 100 ft setback requirement of by 8.5 ft. or less

6. The maximum number of dwelling units shall be limited to the maximum allowed under the Gilbert General Plan.
7. The north driveway along Gilbert Road to the north shall be “Exit Only” and contain gates with a pressure plate used on the interior side of the gate.

Respectfully submitted,



Keith Newman
Planner II

Attachments and Enclosures:

- 1) Notice of Public Hearing
- 2) Aerial Map
- 3) General Plan Land Use Exhibit
- 4) Zoning Exhibit
- 5) Development Plan
- 6) Minutes from the Planning Commission Study Session on June 5, 2019
- 7) Correspondence

Notice of Public Hearing

PLANNING COMMISSION DATE:

Wednesday, August 7, 2019* TIME: 6:00 PM

TOWN COUNCIL DATE:

Thursday, August 15, 2019* TIME: 6:30 PM

* Call Planning Department to verify date and time: (480) 503-6812

**LOCATION: Gilbert Municipal Center
Council Chambers
50 E. Civic Center Drive
Gilbert, Arizona 85296**

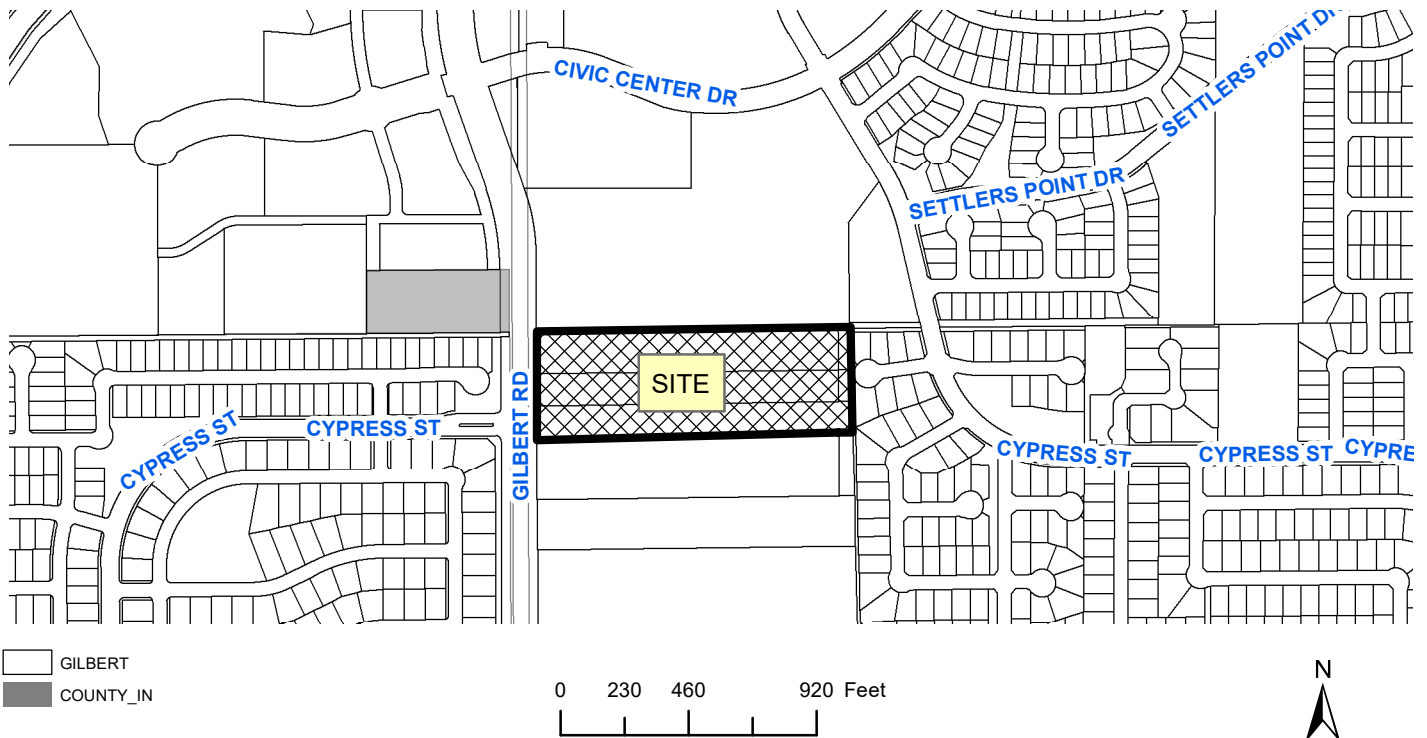
* The application is available for public review at the Town of Gilbert Development Services division Monday - Thursday 7 a.m. - 6 p.m. Staff reports are available prior to the meeting at <https://www.gilbertaz.gov/departments/development-services/planning/planning-commission> and <https://www.gilbertdocs.com/gilbertagendaonline>

REQUESTED ACTION:

GP19-01: WATERMARK AT GILBERT TOWN SQUARE - Request for Minor General Plan Amendment to change the land use classification of approx. 10.32 acres generally located south of the southeast corner of Gilbert Rd. and Civic Center Dr. from General Office (GO) and Neighborhood Office (NO) to Residential > 14 - 25 DU/Acre land use classification. The effect of this amendment will be to change the plan of development to allow residential development.

Z19-05: WATERMARK AT GILBERT TOWN SQUARE - Request to rezone approximately 10.32 acres of real property generally located south of the southeast corner of Gilbert Rd. and Civic Center Dr. from General Office (GO) zoning district and Neighborhood Office Zoning District to Multi-Family/Medium (MF/M) zoning district with a Planned Area Development (PAD) overlay. The effect of this rezone will be to allow residential development with modified development standards.

SITE LOCATION:



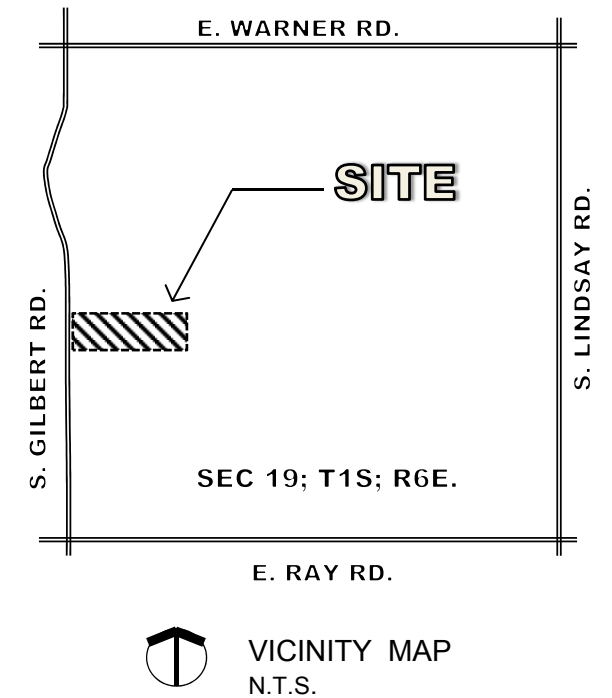
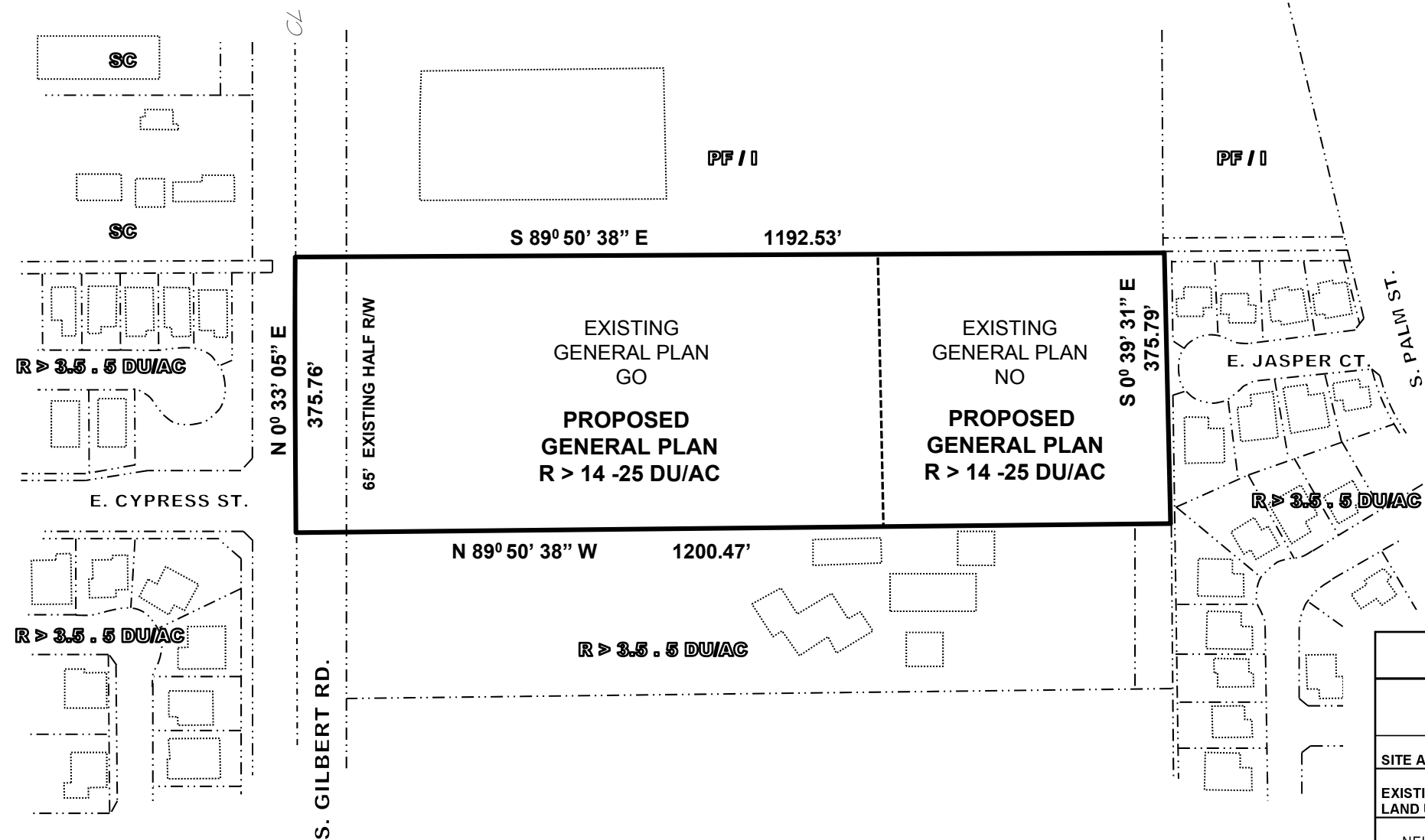
APPLICANT: Iplan Consulting.
CONTACT: Greg Davis
ADDRESS: 3317 S Gilbert Rd, #114-622
Gilbert, AZ 85297

TELEPHONE: (480) 227-9850
E-MAIL: Greg@iplanconsulting.com



Watermark at Gilbert Town Square

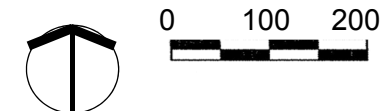




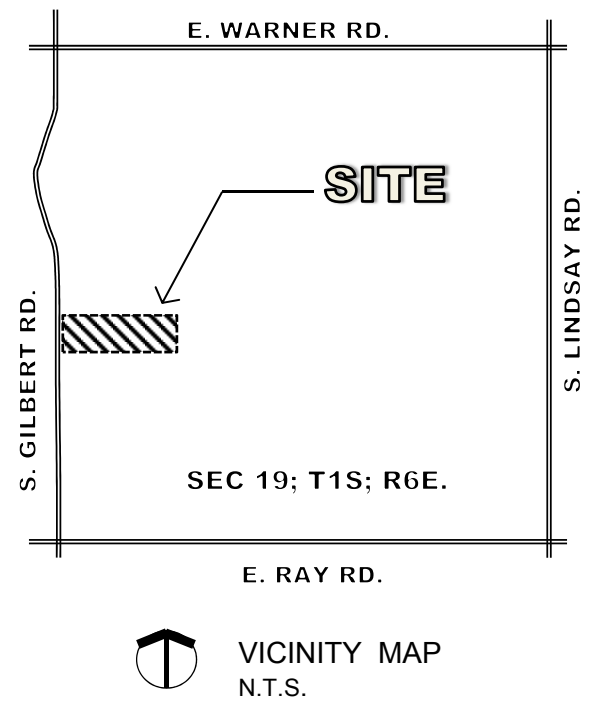
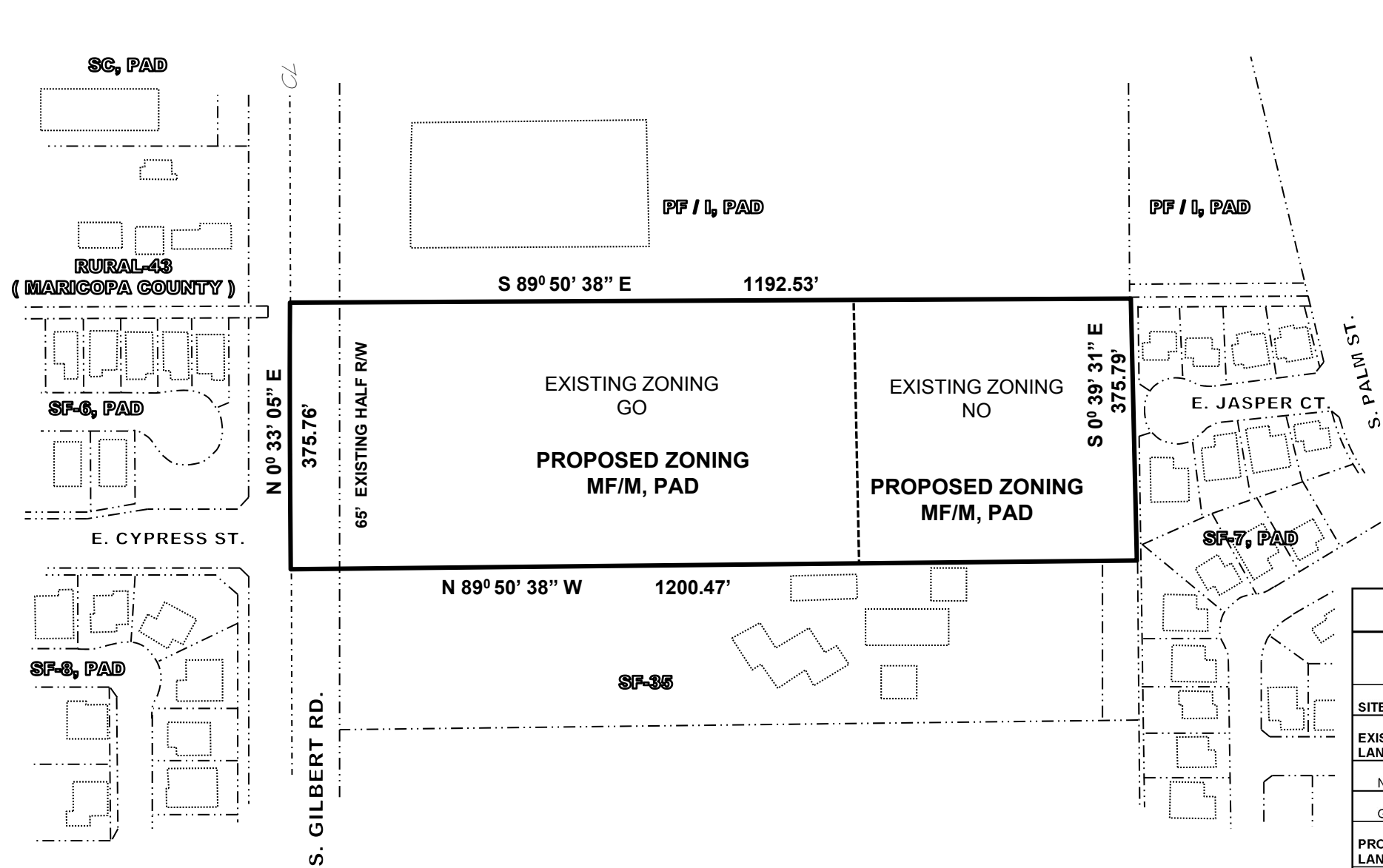
PROJECT DATA TABLE			
DESCRIPTION	ACREAGE (+/- GROSS)	ACREAGE (+/- NET)	PERCENTAGE GROSS AREA (%)
SITE AREA:	10.32	9.76	100
EXISTING GENERAL PLAN LAND USE CLASSIFICATION:			
NEIGHBORHOOD OFFICE (NO)	+/- 3.41		+/- 33
GENERAL OFFICE (GO)	+/- 6.91		+/- 67
PROPOSED GENERAL PLAN LAND USE CLASSIFICATION:			
RESIDENTIAL > 14 - 25 DU/AC	10.32	9.76	100

DEVELOPER CONTACT:
WATERMARK RESIDENTIAL
 111 MONUMENT CIRCLE, SUITE 1600
 INDIANAPOLIS, IN 46204

ENTITLEMENTS:
IPLAN CONSULTING
 3317 S. HIGLEY RD., STE. 114-622
 GILBERT, AZ 85297
 CONTACT: GREG DAVIS
 V: (480) 227-9850



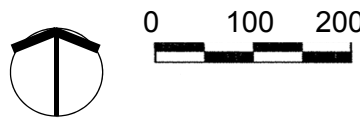
JUNE 04, 2019



PROJECT DATA TABLE			
DESCRIPTION	ACREAGE (+/- GROSS)	ACREAGE (+/- NET)	PERCENTAGE GROSS AREA (%)
SITE AREA:	10.32	9.76	100
EXISTING GENERAL PLAN LAND USE CLASSIFICATION:			
NEIGHBORHOOD OFFICE (NO)	+/- 3.41		+/- 33
GENERAL OFFICE (GO)	+/- 6.91		+/- 67
PROPOSED GENERAL PLAN LAND USE CLASSIFICATION:			
RESIDENTIAL > 14 - 25 DU/AC	10.32	9.76	100
EXISTING ZONING:			
NEIGHBORHOOD OFFICE (NO)	+/- 3.41		+/- 33
GENERAL OFFICE (GO)	+/- 6.91		+/- 67
PROPOSED ZONING:			
MULTI-FAMILY / MEDIUM (MF/M); PAD	10.32	9.76	100
DENSITY:	20.9 DU/Ac		

DEVELOPER CONTACT:
WATERMARK RESIDENTIAL
111 MONUMENT CIRCLE, SUITE 1600
INDIANAPOLIS, IN 46204

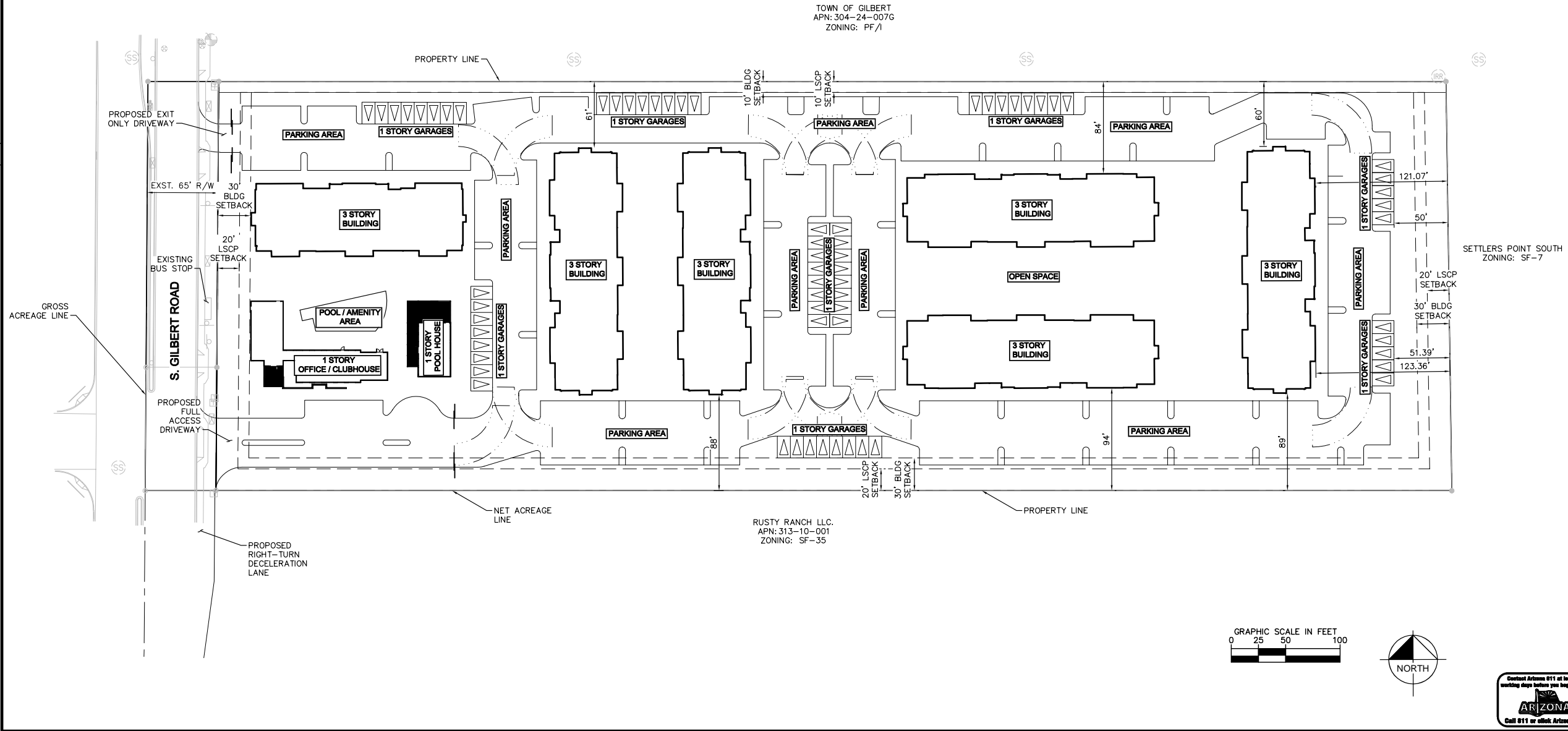
ENTITLEMENTS:
IPLAN CONSULTING
3317 S. HIGLEY RD., STE. 114-622
GILBERT, AZ 85297
CONTACT: GREG DAVIS
V: (480) 227-9850



JUNE 04, 2019

k:\PHX_OHA\29159001\CADD\Exhibits\2019-07-22 Development Plan.dwg Jul 23, 2019 -- 1:45pm Bryce.Quigley

SITE DATA TABLE	
APN NUMBERS	304-24-0130 304-24-016 304-24-017A 304-24-018B 304-24-989
GROSS ACREAGE	10.49
NET ACREAGE	9.93
EXISTING GP CATEGORY	GENERAL OFFICE AND NEIGHBORHOOD OFFICE
PROPOSED GP CATEGORY	RESIDENTIAL 14-25 DU/ACRE
EXISTING ZONING	GO & NO
PROPOSED ZONING	MF/M
GROSS DENSITY	20.93 DU/ACRE
OPEN SPACE AREA	4.26 AC
OPEN SPACE %	42.90%
PROPOSED BUILDING HEIGHT	36'



ERMARK AT GILBERT TOWN SQUARE
DEVELOPMENT PLAN
GILBERT, AZ

PROJECT No. 291159000
SCALE (H): 1"=50'
SCALE (V): NONE
DRAWN BY: BEQ
DESIGN BY: BEQ
CHECK BY: TMJ
DATE: 07/22/19

2019-07-22 Development Plan.dwg
DP1
 1 OF 1 SHEETS

Chair Andersen felt that the 4-foot porch depth did not seem like adequate space to accommodate a chair or allow use of that space. That was the only item on the list that he would object to. He was fine with the remainder of the proposed modifications.

There were no further comments from the Planning Commission.

2. GP19-01 WATERMARK AT GILBERT TOWN SQUARE - Request for Minor General Plan Amendment to change the land use classification of approx. 10.32 acres generally located south of the southeast corner of Gilbert Rd. and Civic Center Dr. from General Office (GO) and Neighborhood Office (NO) to Residential > 14 - 25 DU/Acre land use classification.

Z19-05: WATERMARK AT GILBERT TOWN SQUARE - Request to rezone approximately 10.32 acres of real property generally located south of the southeast corner of Gilbert Rd. and Civic Center Dr. from General Office (GO) zoning district and Neighborhood Office Zoning District to Multi-Family/Medium (MF/M) zoning district with a Planned Area Development (PAD) overlay.

Planner Keith Newman presented the Watermark at Gilbert Town Square General Plan amendment to change the land use classification and rezoning of the 10.32 acre site located south of the Public Safety Training Facility. Both the General Plan designation and the zoning for the west half of the property is General Office (GO) and the east half is Neighborhood Office (NO). The Applicant is proposing to change both of those to a General Plan designation of Residential >14 - 25 DU/Acre with a change in zoning from GO and NO to Multi-Family/Medium (MF/M PAD). The Applicant is proposing 216 apartment units, 6 three-story buildings, and single-story garage units along the perimeter of the development. There will be two access points off of Gilbert Road, with a full-motion main entrance at the south end of the site and a right out exit at the north end.

The Applicant is requesting deviations as the basis for the Planned Area Development zoning. A 10-foot side setback along the north property boundary is being proposed instead of the required 20 feet required per the Land Development Code (LDC) as well as a 10-foot landscape setback along the north property line instead of the 20-foot setback per the Code. The LDC requires an 8-foot solid separation fence adjacent to residential zoning districts. The Applicant is proposing a 6-foot solid masonry wall along the north property line, which is adjacent to the El Paso gas easement. With the landscape buffer for the Public Safety Facility, that overall distance is a little over 75 feet and the Applicant felt it was reasonable to request a 6-foot wall at that property line. On the far east property boundary, the adjacent HOA has an existing 6-foot wall that is set back 10 feet inside their property line, creating a no man's land in between. The Applicant is proposing a 6-foot view fence to be set back a certain distance so there will not be two solid walls adjacent to each other, which may create a corridor of mischief. A 6-foot solid masonry wall is proposed on the south property line. There is an existing 6-foot masonry wall that they are proposing to stay. Staff had a concern with the structural integrity of that existing wall and it only goes three-quarters of the way up that property line. The back quarter of that property appears to have a pipe rail fence that would need to be replaced with a solid wall. Staff also had a concern with the security element adjacent to the Public Safety Facility as an 8-foot wall would normally be required. Staff is looking into those issues and will seek input from Public Safety officials.

The Code requires a step back for 3-story or taller buildings adjacent to residential. In some zoning districts, the Code requires a step back of 10 feet within 100 feet of residential. In this situation for MF-M, the Code does not state a distance requirement. The Applicant is proposing that a step back not be applicable in those situations when there are no buildings in between the Apartment buildings since there is a significant distance between the residential property line and the proposed buildings. Mr. Newman noted that a step back would not be needed if there is a single-story building in front of an apartment building. This would apply to certain buildings in the proposed Development Plan, although other buildings would still need a step back per Code. Staff has requested that those buildings that do not have a single-story garage in front of them provide a higher level of architectural design to minimize the visual impact adjacent to single-family residential.

Staff is requesting input from the Commission on the Development Plan and the requested deviations.

DISCUSSION:

Commissioner Cavenee asked if staff was supportive of the change in use.

Mr. Newman advised that staff is in the process of reviewing all of the documentation and has made some comments on the land use plan. Staff is generally supportive, although the Applicant has been told from the very beginning that the town would like to see a high quality product that fits in and is compatible with the buildings and design in the general area. Staff is moving toward being supportive depending on the design.

Commissioner Cavenee noted the challenges southeast of Gilbert and Warner and the struggle to get commercial uses. A lot of the other components in the area have gone with residential uses, and there are a lot of services to the west of Gilbert Road. He would be supportive of the use and felt it was heading in the right direction for this sliver lot. He would be willing to consider the variation of a 6-foot separation fence depending on where it faces. His preference would be for an 8-foot fence along the north boundary to separate the parking structure and other town facilities from the residential component. He understood the view fence concept. He wondered how the residential homes on the east side would experience this property. He stressed making sure that those homes feel protected and that they will not be more exposed in any way. He was unsure if creating a no man's land alley with two masonry walls would feel safer or if having a 6-foot high view fence would be safer.

Mr. Newman stated the space between the solid wall on the east boundary with it being set back off the HOA property line is 10 feet.

With that clarification, Commissioner Cavenee would be willing to go with a view fence for now. To the south there is only one single-family residence and he would prefer to see the existing fence which is not structurally sound replaced with an 8-foot fence. He clarified that the suggestion was for the town to not require the step back if the architecture is done right. He felt that might be a fair trade off, although they are asking for a PAD with the rezoning and they have not yet submitted to Design Review.

Chair Andersen noted if the south side was loaded with single-family, we would need to adhere to the step back. There is one big structure there.

Mr. Newman believed the property to the south is zoned SF-35 and there is a single-family residence that is used as an event center for weddings.

Commissioner Cavenee had met with the Applicant who shared that it is a single-family residence that is often used for venues and events. He did not feel that it was a formal commercial-type use.

Chair Andersen stated because there is one house centered on that entire lot, he would support not having a step back. He felt the step back would not be required unless there was single-family lining the entire south side of that property. The distance from the proposed buildings to that single-family building would probably measure a couple hundred feet.

Commissioner Cavenee agreed. He asked how tall the garages would be.

Mr. Newman advised that the garage units would be one story in height and would be above the height of an 8-foot wall. As the project has not gone through Design Review, he did not know the exact height at this time.

Commissioner Cavenee felt their placement along the perimeter was more motivation to see that 8-foot wall to help shield those from the adjacent properties.

Vice Chair Bloomfield was in support of the zoning change and the General Plan change. Everything around the site is residential except for the public facilities to the north and he felt this was a good transition property to the residential that is there. He had a hard time believing the property to the south would stay in exactly that condition for a very long time. As of now, he did not feel it would be impacted if we did not have the step back on the south side. He was in support of not having the step back, but would recommend an 8-foot wall all the way around. He assumed the HOA setback was placed there because it is a transition from a commercial aspect to a single-family residential. If that does not continue on south of that, he would recommend the Applicant try to purchase that setback to eliminate it and keep it as one wall. He has looked over that wall from the cul-de-sac

and felt there was no reason to have anything there. He was in support of the project and felt it was on the right track, although there is more to be done through the Design Review. Given the information we have about Watermark and their national presence, he would be in support of this proposal going forward. A lot of the concerns can be resolved through the Design Review process. He was in support of the General Plan Amendment and the zoning change.

Chair Andersen noted on the north property line they are requesting a 10-foot building setback and on the south side they would stay with the 20 feet per the LDC.

It was Commissioner Cavenee's understanding that the only requested deviation was to the north property line setback and he felt that was fine with the 75-foot buffer to the city buildings.

There were no further comments from the Planning Commission.

3. GP19-02 SPRINGS AT COOLEY STATION: Request for Minor General Plan Amendment to change the land use classification of approx. 15.27 gross acres generally located at Recker and Williams Field Roads from Village Center (VC) to Residential > 14-25 DU/Acre.

Z19-06 SPRINGS AT COOLEY STATION: Request to rezone approximately 15.27 gross acres of real property generally located at Recker and Williams Field Roads from Gateway Village Center (GVC) zoning district to Multi-Family/Medium (MF/M) zoning district with a Planned Area Development overlay zoning district (PAD).

Planner Sydney Bethel presented the request for a Minor General Plan Amendment and rezoning for the Springs at Cooley Station. The subject site is approximately 15.27 gross acres located east of the northeast corner of Recker and Williams Field Roads. The hard corner will remain and Gateway Village Center is not part of this proposal. The current land use classification is Village Center (VC) and the Applicant is proposing Residential >14 - 25 DU/Acre. The current zoning designation is Gateway Village Center (GVC) with a PAD overlay and the proposal is for Multi-Family/Medium (MF/M) with a PAD overlay. The Applicant is proposing these amendments in order to build a 276-unit multi-family development.

The site is located within the Gateway Character Area and was annexed into the town in 2006 as part of the larger Cooley Station area. Ms. Bethel provided elevations as well as visuals showing what Cooley Station is envisioned to be. Orenco Station in Hillsboro, Oregon was one of the original inspirations for Cooley Station as a transit-oriented development with the ultimate vision having a central rail line. Recently approved developments in the area include a police station, apartments, multi-family, the Cooley Loop North apartments, Fincher Fields north of the subject site, and the Fry's development.

The Development Plan shows 10 buildings with a mix of two- and three-story buildings. Cooley Loop North will now be referred to as Haskell Street and the buildings have been pulled up to activate the street front. The maximum height proposed is approximately 38 feet with a density of 18 DU/Acre.

Four deviations are being requested with the PAD in order to achieve the streetfront presence. For reference, Ms. Bethel showed what the site would look like with the current GVC zoning with loft above which would have more reduced setbacks as opposed to multi-family. The requested setbacks are supported by staff in order to achieve the ultimate vision for this area. Elevations were provided for reference only.

Staff is seeking input on the Development Plan, the requested deviations and the land use change.

DISCUSSION:

Vice Chair Bloomfield stated Cooley Station has been a dream in the town for a very long time. It was slow going at the beginning and is now picking up speed. His preference would be not to change off of that vision drastically at this time. Development is hot and he suggested giving it time to mature. If the Applicant wants to modify and adjust to better fit the Cooley Station plan, he would highly encourage that. He was unsure whether he would be in favor of making a lot of wholesale changes at this point because we have held on for so long and



MEMO

TO: Mayor and Town Council
FROM: Board of Directors
DATE: June 27, 2019

RE: Watermark Downzoning

The Gilbert Chamber's Public Policy committee and Board of Directors previously reviewed a separate project's downzoning request for the property south of the Municipal Public Safety building on Gilbert Road which is currently zoned for General office and Neighborhood office.

While the product has changed the Gilbert Chamber stands by its original support of the downzoning request. This 20-acre parcel is oddly placed for future office or commercial uses and would be considered an infill project and the developer has worked well with neighbors to address buffering concerns.

Please feel free to contact Kathy Tilque at 480-892-1103 if you have any questions.

From: Luis Bonilla <[REDACTED]>
Sent: Thursday, August 01, 2019 5:57 PM
To: Keith Newman
Subject: Re: Rezoning Question

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Newman,

I sent you another email regarding this. Did another developer try to turn this into apartment sometime in 2017-2018?

Regarding the Watermark project, I wanted to express my neighbors and my view. Our biggest concern is privacy and safety. I ask that you please keep these in mind when looking at the rezoning. A 10' alley would be left over between the properties which is a safety risk. I am especially concerned because my neighbor and I have kids. For the privacy considerations please consider that it is a three story building and whether enough is done for privacy.

I appreciate your time. Please let me know if you have any questions.

Best Regards,
Luis Bonilla

> On Jul 31, 2019, at 12:48 PM, Keith Newman <Keith.Newman@gilbertaz.gov> wrote:

>

> Luis,

> We have been reviewing the project which is for 216 apartment units since the end of April of this year....Staff recently completed all reviews and has scheduled the project to be presented before the Planning and Zoning Commission on August 8th, where they will issue a recommendation for either approval or denial. On August 15th the project will then be heard by the Town Council where they will make the final decision. If you have any further questions or comments please let me know. Thanks!

>

> -----Original Message-----

> From: Dana Stevens

> Sent: Wednesday, July 31, 2019 12:04 PM

> To: Luis Bonilla <[REDACTED]>

> Cc: Keith Newman <Keith.Newman@GilbertAZ.gov>

> Subject: RE: Rezoning Question

>

> I show this project was received end of March this year. I believe it is still under review... Keith, can you provide more information on the status of this project?

>

> DANA STEVENS

> Planning Specialist | Town of Gilbert

> 90 East Civic Center Drive | Gilbert, AZ 85296

> 480.503.6563 | Dana.Stevens@GilbertAZ.gov M-Th 7:00am - 6:00pm |

> Closed Fridays

>

>

> -----Original Message-----

> From: Luis Bonilla <[REDACTED]>

> Sent: Tuesday, July 30, 2019 5:09 PM

> To: Dana Stevens <Dana.Stevens@GilbertAZ.gov>

> Subject: Rezoning Question

>

> Dana,

>

> Could you tell me how long rezoning reference number is GP19-01/Z19-05 has been in the works, please? I moved in July 2018 and I was wondering if it started before or after.

>

> Best Regards,

> Luis Bonilla